## **DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## "MEDICAL APPARATUS FOR TRACKING MOVEMENT OF A BONE FRAGMENT IN A **DISPLAYED IMAGE"**

	Number	Country	Date	
	Prior Foreign App		_	
applic		eign priority benefits under Tit r inventor's certificate listed be	le 35, United States Code, 119 of a low	nny foreign
Ameri before public believ the da me or applic United	I do not know and ica before my or our my or our invention use or on sale in the e that the invention te of this application my legal representation for patent or in	invention thereof, or patented of thereof or more than one year e United States of America more has not been patented or made to in any country foreign to the University or assigns more than twelve tives or assigns more than twelve	vas ever known or used in the United or described in any printed publicated prior to this application, that the sage than one year prior to this application the subject of an inventor's certification. United States of America on an application of this application, ention has been filed in any country or my legal representatives or assignation.	ion in any country ame was not in ation, and I ate issued before lication filed by and that no of foreign to the
			States Patent Office all information in accordance with Title 37, Code	
includ		I have reviewed and understand ended by any amendment refer	d the contents of the above identificated to above.	ed specification,
	· · · · · · · · · · · · · · · · · · ·			
	one)	Application Serial No.		
	(check	is attached hereto. was filed on	as	

ng made of record in the application, and

<sup>(1)</sup> It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

<sup>(2)</sup> It refutes, or is inconsistent with, a position the applicant takes in:

<sup>(</sup>i) Opposing an argument of unpatentability relied on by the Office, or

<sup>(</sup>ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the above listed application on which priority is claimed:

Prior Foreign Application(s)

Number

Country

Date

If no priority is claimed, I have identified all foreign patent applications filed prior to this application:

Prior Foreign Application(s)

Number

Country

Date

And I hereby appoint all Attorneys Identified by United States Patent & Trademark Office Customer Number 26574, who are all members of the firm of Schiff Hardin and Waite.

## Telephone 312/-258-5500 Patent Department

my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and direct that all correspondence be forwarded to:

Schiff, Hardin & Waite
Atten: Patent Department
6600 Sears Tower, Chicago, Illinois 60606 -6473
Customer Number 26574

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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